

ATTACHMENT N



April 22, 2016

VIA FIRST CLASS MAIL AND EMAIL

[REDACTED]
Treasurer
Liberty Action Group
600 Congress Avenue
Austin, TX 78701

[REDACTED]
PAC Director
Liberty Action Group
2103 Nueces Street
Austin, TX 78705

RE: Demand to Cease and Desist Illegal Activities

Dear Messrs. [REDACTED]

On behalf of Cruz for President, the presidential campaign committee of Senator Ted Cruz, this letter serves as a demand that Liberty Action Group and its agents cease and desist any and all activity using Senator Cruz's name, likeness, or recordings, including, but not limited to, the organization's illegal and unauthorized fundraising "robocall" activity.

Based on available information, Liberty Action Group is responsible for illegal robocalls using Senator Cruz's voice without permission or authorization. Once a target receives a call, the recipient is asked to respond to prompts, which then transfers the call to a call center. These calls have been traced back to your organization, Liberty Action Group, which, along with its agents, is ultimately responsible for this illegal activity.

Cruz for President demands that you immediately cease and desist the use of any recordings of Senator Cruz's voice, Senator Cruz's name, image, likeness, and slogans in connection with any Liberty Action Group, including, but not limited to, the group's illegal solicitation of contributions to your organization.

The timing, content, and circumstances of your activity warrants the seriousness of this response. Your organization is not authorized to use Cruz for President's intellectual property or Senator Cruz's voice, image or likeness in connection with its activities, including the solicitation of contributions. *See* 11 C.F.R. §§ 100.3(a)(3) and 102.13. Liberty Action Group is fraudulently misrepresenting itself as speaking or acting on behalf of a federal candidate, and is liable for

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serious violations of federal law. 11 C.F.R. § 110.16(b). Your knowing and willful scheme to confuse and misrepresent your organization makes you liable for significant civil penalties and referral to the United States Department of Justice, as well as state and local investigative authorities.

Please confirm and provide the following on or before Monday, April 25, 2016, at 5:00 p.m. CDT:

- (1) That Liberty Action Group and its agents have ceased all activity referencing Senator Cruz in connection with its robocalls; and
- (2) That Liberty Action Group has ceased using the intellectual property of Senator Cruz and/or Cruz for President, including any recording of his voice.

In addition, we are demanding that you provide us a complete accounting of all contributions generated as a result of your illegal scheme and commence refunds to all donors. The complete accounting of all contributions must be received by our campaign on or before Friday, April 29, 2016, at 5:00 p.m. CDT. You can either mail hard copies to the mailing address listed at the bottom of this letterhead, or you can email electronic files to me at ebrown@tedcruz.org. The refunds of all contribution must be issued on or before Friday, April 29, 2016, at 5:00 p.m. CDT.

With this letter, Cruz for President reserves all rights, remedies and recourse to which we are entitled in connection with the potential or actual use of Senator Cruz's voice, any campaign logo or slogans, or Senator Cruz's image or likeness. No action or inaction by Cruz for President shall be deemed to constitute a waiver, relinquishment or other impairment of such rights, remedies or full recourse under the law.

Please guide yourselves accordingly.

Sincerely,

[Redacted Signature]

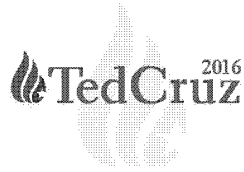
[Redacted Title]

General Counsel
Cruz for President

cc:
Federal Communications Commission
Consumer and Governmental Affairs Bureau
Consumer Inquiries and Complaints Division

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445 12th Street, S.W.
Washington, DC 20554

Federal Election Commission
Office of the General Counsel
999 E Street, N.W.
Washington, DC 20463

Consumer Protection Division
Office of the Indiana Attorney General
302 W. Washington St., 5th Fl.
Indianapolis, IN 46204

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